

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 9356-AG10-0716-121

IN THE MATTER OF:

Donald E. Weber
3057 Autumn Hill Trail
New Albany, IN 47150

Respondent

License Number: 1518410

FILED

SEP 13 2010

STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER
NOTICE OF NONRENEWAL OF LICENSE

The Indiana Department of Insurance, pursuant to the Indiana Administrative Act, Indiana Code 4-21.5-1 et seq. and Indiana Code § 27-1-15.6-12, hereby gives notice to Donald E. Weber (“Respondent”) of the following Administrative Order:

1. Indiana Code § 27-1-15.6-12(b) provides that “The commissioner may levy a civil penalty, place an insurance producer on probation, suspend an insurance producer’s license, revoke and insurance producer’s license for a period of years, permanently revoke an insurance producer’s license, or refuse to issue or renew an insurance producer license, or take any combination of these actions, ...” .

2. Indiana Code § 27-1-15.6-12(d) provides that when the Commissioner refuses to renew a license, the Commissioner shall notify the Respondent, in writing, of the reasons for the nonrenewal.

3. Respondent is a licensed resident insurance producer within the State of Indiana, holding license number 1518410.

4. Respondent's license expires on August 31, 2010.

5. On or about May 18, 2010, the Department received a complaint from Robert Cooper and Sheila Hardy ("Complainants") alleging that Respondent, an employee of Countryside Insurance Agency, Inc. ("Countryside"), had failed to submit a homeowner's policy application and premium to Erie Insurance Company ("Erie") on their behalf, although Respondent had received them on or about October 19, 2007.

6. In September, 2008, the roof of the Complainant's property was damaged and a claim was submitted to Respondent. Complainants allege Respondent stalled them for several months before admitting he had failed to submit the documents to the Erie and that the property was not covered for the loss.

7. Countryside submitted a claim on behalf of the Complainants to their errors and omissions carrier, Westport Insurance Company ("Westport"). Westport is presently working with the Complainants to settle the claim.

8. Respondent has failed to respond to the Department's requests for a response and to provide a list of company appointments held in the past twelve (12) months. As a result, Respondent's license was suspended on July 23, 2010.


9. Respondent's conduct, as alleged herein, is considered to demonstrate incompetence and untrustworthiness and is cause for disciplinary action in accordance with Indiana Code § 27-1-15.6-12(b)(8).

10. Respondent's conduct, as alleged herein, is considered to misappropriation of premium and is cause for disciplinary action in accordance with Indiana Code § 27-1-15.6-12(b)(4).

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **Respondent's license shall not be renewed.**

WHEREFORE, the Commissioner further notifies Respondent that pursuant to Indiana Code §27-1-15.6-12(d), within sixty (60) days of receiving this Notice, Respondent may make a written demand upon the Commissioner for a hearing to determine the reasonableness of this action. Such a hearing shall be held within thirty (30) days from the date of receipt of Respondent's written demand.

September 13, 2010
Date Signed


Stephen W. Robertson, Executive Director
Acting Commissioner
Indiana Department of Insurance

CERTIFIED MAIL NUMBER: 7005 3110 0002 4438 6961